

C. Green - OW

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Department of Employment Services  
Labor Standards Bureau

Office of Hearings and Adjudication  
Administrative Hearings Division



(202) 671-2233-Voice  
(202) 673-6938-Fax

IN THE MATTER OF )

PATRICK WHITE, )

Claimant, )

v. )

VOLUME SERVICES AMERICA, INC., )

and )

AIG, )

Employer/Carrier. )

AHD No. 07-149

OWC No. 610260

**ORDER**

On February 2, 2007, Claimant filed an Application for Formal Hearing (hereinafter "Claimant's Application") with the Office of Hearings and Adjudication, Administrative Hearings Division (hereinafter "AHD"). On March 9, 2007, Employer filed an Application for Formal Hearing (hereinafter "Employer's Application"). A Scheduling Order issued on February 23, 2007, and a formal hearing was scheduled for May 8, 2007.

On or about May 4, 2007, Claimant's Counsel left a voice mail message with AHD indicating that the parties did not intend to proceed to the formal hearing; he also indicated that a request to dismiss Claimant's Application would be filed in the near future, but as of the issuance of this order, no such request has been received from Claimant's Counsel.<sup>1</sup>

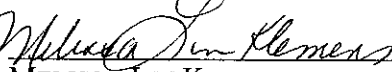
On May 7, 2007, Employer/Carriers' Counsel submitted a facsimile indicating that the parties had resolved the issues for adjudication and requesting that the matter be removed from the docket. Good cause having been shown, Employer's Application hereby is **DISMISSED**.

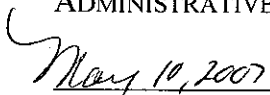
Neither party appeared for the formal hearing scheduled for May 8, 2007; therefore pursuant to Title 7 of the District of Columbia Municipal Regulations § 223.2, Claimant's Application hereby is **DISMISSED**. The above-captioned matter is **REMANDED** to the Office of Workers' Compensation for such action as may be warranted.

<sup>1</sup>The undersigned does not accept oral motions.

In addition, April 30, 2007, Claimant filed Claimant's Motion to Add Additional Exhibit (hereinafter "Motion"). Claimant requested permission to add Dr. Peter A. Moskovitz's April 25, 2007 report as an exhibit. Having dismissed Claimant's Application and Employer's Application, Claimant's Motion is **DENIED AS MOOT**.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
MELISSA LIN KLEMENS  
ADMINISTRATIVE LAW JUDGE

  
\_\_\_\_\_  
Date

Parties Served:

Joseph H. Koonz, Jr., Esquire  
Thomas G. Hagerty, Esquire  
Mr. Patrick White  
Mr. Larry Barron, Supervisory Claims Examiner, Office of Workers' Compensation

cc: Mr. Charles Green, Associate Director, Department of Employment Services